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be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) **Labeling.** Each package shall bear on its outside wrapper or container and the immediate container, as herein-after indicated, the following:

(1) The batch mark.
(2) The number of units per milligram and the number of grams in the immediate container.

(3) The statement "Expiration date _____," the blank being filled in with the date that is 24 months after the month during which the batch was certified: *Provided, however,* That such expiration date may be omitted from the immediate container if such immediate container is packaged in an individual wrapper or container.

(4) The statement "For use in the manufacture of nonparenteral drugs only."

(5) The statement "Caution: Federal law prohibits dispensing without prescription."

(d) **Request for certification; samples.**
(1) In addition to complying with the requirements of § 146.2 of this chapter, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in the batch, and the date on which the latest assay of the drug comprising such batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him on the batch for potency, toxicity, moisture, pH, crystallinity, and penicillin V content.

(2) Such person shall submit with his request an accurately representative sample of the batch, consisting of 10 packages, each containing approximately 300 milligrams taken from a different part of such batch, packaged in accordance with the requirements of paragraph (b) of this section.

(e) **Fees.** The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) \$4.00 for each immediate container in the sample submitted in accordance with paragraph (d) (2) of this section.

(2) If the Commissioner considers that investigations other than examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 of this chapter for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d) of this chapter.

§ 146a.106 **Tablets benzathine penicillin G and penicillin V.** (a) Tablets benzathine penicillin G and penicillin V conform to all requirements and are subject to all procedures prescribed by § 146a.27 for tablets benzathine penicillin G, except that each tablet contains not less than 50,000 units of penicillin V.

(b) In lieu of the labeling directions prescribed for tablets benzathine penicillin G by § 146a.27 (c) (1) (ii), each package shall bear on the outside wrapper or container and the immediate container the number of units of each kind of penicillin.

(c) In addition to complying with the requirements of § 146a.27 (d), a person who requests certification of a batch shall submit with his request a statement showing the batch mark and (unless they were previously submitted) the results and the date of the latest tests and assays of the penicillin V used in making the batch for potency, toxicity, moisture, pH, crystallinity, and penicillin V content. He shall also submit in connection with his request a sample consisting of not less than 30 tablets of the batch and (unless it was previously submitted) a sample consisting of 10 packages containing approximately equal portions of not less than 300 milligrams each of the penicillin V used in making the batch, packaged in accordance with the requirements of § 146a.103 (b).

(d) The fee for the services rendered with respect to each immediate container in the sample of penicillin V submitted in accordance with the requirements prescribed therefor by this section shall be \$4.00.

§ 146a.107 **Capsules penicillin V.** Capsules penicillin V are capsules that conform to all requirements and are subject to all procedures prescribed by § 146a.27 for tablets penicillin V, except that the moisture content of such capsules is not more than 2 percent.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the amendments set forth above.

This order shall become effective upon publication in the **FEDERAL REGISTER**, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463; 21 U. S. C. 357)

Dated: September 12, 1955.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F./R. Doc. 55-7517; Filed, Sept. 15, 1955; 8.50 a. m.]

TITLE 37—PATENTS, TRADE-MARKS, AND COPYRIGHTS

Chapter II—Copyright Office, Library of Congress

PART 201—GENERAL PROVISIONS

PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT

MISCELLANEOUS AMENDMENTS

Sections 201.8, 202.1 (c), 202.2 and 202.3 are revised to read as set forth below, effective September 16, 1955.

1. Section 201.8 is revised in its entirety to read as follows:

§ 201.8 **Import statements.** The Copyright Office will issue import statements for books and periodicals first published abroad in the English language which are to be imported under the provisions of section 16 of title 17, United States Code, as amended by the act of August 31, 1954 (68 Stat. 1030). A statement for the importation of 1,500 copies will be issued to the person named in the application for ad interim copyright registration. The holder of this statement shall present it to the customs officer in charge at the port of entry. Upon receipt of a statement from the customs officer, showing importation of less than 1,500 copies, a new statement will be issued for the balance.

2. Section 202.1 (c) is revised in its entirety to read as follows:

§ 202.1 **Application forms.** . . .

(c) **Forms.** The Copyright Office supplies without charge the following forms for use when applying for the registration of a claim to copyright in a work and for the filing of a notice of use of musical compositions on mechanical instruments.

Form A—Published book manufactured in the United States of America (Class A).

Form A-B Ad Interim—Book or periodical in the English language manufactured and first published outside the United States of America (Classes A-B).

Form A-B Foreign—Book or periodical manufactured and first published outside the United States of America, except works subject to the ad interim provisions of the copyright law of the United States of America (Classes A-B).

Form B—Periodical manufactured in the United States of America (Class B).

Form BB—Contribution to a periodical manufactured in the United States of America (Class B).

Form C—Lecture or similar production prepared for oral delivery (Class C).

Form D—Dramatic or dramatico-musical composition (Class D).

Form E—Musical composition the author of which is a citizen or domiciliary of the United States of America or which was first published in the United States of America (Class E).

Form E Foreign—Musical composition the author of which is not a citizen or domiciliary of the United States of America and which was not first published in the United States of America (Class E).

Form F—Map (Class F).

Form G—Work of art, or a model or design for work of art (Class G).

Form GG—Published three-dimensional work of art (Class G).

Form H—Reproduction of a work of art (Class H).

Form I—Drawing or plastic work of a scientific or technical character (Class I).

Form J—Photograph (Class J).

Form K—Print or pictorial illustration (Class K).

Form KK—Print or label used for article of merchandise (Class K).

Form L-M—Motion picture (Classes L-M).

Form R—Renewal of copyright

Form U—Notice of use of music on mechanical instruments.

3. Sections 202.2 and 202.3 are revised in their entirety to read as follows:

§ 202.2 **Books (Class A).** This class includes such works as fiction and non-fiction, poems, compilations, composite works, directories, catalogs, annual pub-

lications, information in tabular form, and similar text matter, with or without illustrations, published as books, pamphlets, leaflets, cards, single pages or the like. Applications for registration of claims to copyright in published books manufactured in the United States of America are made on Form A; in books manufactured and first published outside of the United States of America, except those subject to the ad interim provisions of the copyright law, on Form A-B Foreign; and in books in the English language manufactured and first published outside the United States of America, and subject to the ad interim provisions of the copyright law, on Form A-B Ad Interim.

§ 202.3 Periodicals (Class B). This class includes such works as newspapers,

magazines, reviews, bulletins, and serial publications, which appear at intervals of less than a year. Applications for registration of claims to copyright in published periodicals manufactured in the United States of America are made on Form B; in periodicals, or in contributions thereto, manufactured and first published outside the United States of America, except those subject to the ad interim provision of the copyright law, on Form A-B Foreign; and in periodicals, or in contributions thereto, in the English language manufactured and first published outside of the United States of America, and subject to the ad interim provisions of the copyright law, on Form A-B Ad Interim. Applications for registration of claims to

copyright in contributions to periodicals manufactured in the United States of America are made on Form BB. Applications for registration of claims to copyright in contributions to periodicals, which contributions are prints published in connection with the sale or advertisement of an article or articles of merchandise, are made on Form KK.

(Sec. 207, 61 Stat. 666; 17 U. S. C. 207)

ARTHUR FISHER,
Register of Copyrights.

Approved: September 12, 1955

L. QUINCY MUMFORD,
Librarian of Congress.

[F. R. Doc. 55-7511; Filed, Sept. 15, 1955;
8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 904, 934, 996, 999]

[Docket Nos. AO-14-A23; AO-83-A19; AO-203-A5; AO-204-A5]

HANDLING OF MILK IN GREATER BOSTON, MERRIMACK VALLEY, SPRINGFIELD, AND WORCESTER, MASSACHUSETTS, MARKETING AREAS

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENTS AND PROPOSED ORDERS, AMENDING ORDERS, AS NOW IN EFFECT

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted in Northampton, Massachusetts, on April 18 to 20, in Worcester, Massachusetts, on April 21 to 23, in Waltham, Massachusetts, on April 25 to 27, and in Boston, Massachusetts, on April 28 and 29, and on May 3 to 5, 1955 pursuant to a notice thereof which was issued on March 18, 1955 (20 F. R. 1699), upon proposed marketing agreements and proposed amendments to the orders, now in effect, regulating the handling of milk in the Greater Boston, Merrimack Valley, Springfield, and Worcester, Massachusetts, marketing areas.

Upon the basis of the evidence introduced at the hearing and the record thereof, the Acting Deputy Administrator, Agricultural Marketing Service, on July 29, 1955 filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision and opportunity to file written exceptions thereto which was published in the Federal Register on August 3, 1955 (20 F. R. 5520; Doc. 55-6254).

Rulings. Within the period reserved for exceptions, interested parties filed exceptions to certain of the findings,

conclusions, and actions recommended by the Acting Deputy Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions, and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

Issues considered. The material issues considered at the hearing were concerned with the following:

1. Extension of the limits of the Greater Boston marketing area.
2. Extension of the limits of the Springfield marketing area.
3. Extension of the limits of the Worcester marketing area.
4. The elimination of the floor price feature of the Class II pricing formula.
5. Extension of the Boston zone differentials to reflect additional mileage distances.
6. The basis of zoning plants and the level of zone differentials.
7. Assignment of local Class I sales from country plants under the Boston order.
8. A storage cream credit under the Boston order.
9. The classification of "half and half."
10. A requirement that producers be provided by handlers with daily weight slips and the results of composite butterfat tests.
11. Uniform marketing service provisions under all four orders.
12. Pooling qualifications under the secondary market orders.
13. Revision of secondary market butterfat differential.
14. Diversion privilege under the secondary market orders.
15. Revision of the outside milk definition under the Boston Merrimack Valley and Worcester orders.
16. Extension of the nearby differential area under the Worcester order.
17. Reduction in the Worcester country plant shipping requirements.

18. The dealer definition under the Merrimack Valley order.

19. Proposal to give receiving plant status under the Worcester order to the operator of a farm tank pickup truck.

20. Revision of the exempt milk definition under the Worcester order.

21. Conforming and nonsubstantive changes under all four orders.

Findings and conclusions—1. Boston area extension. The limits of the Greater Boston marketing area should be extended to include the towns of Framingham, Natick, Wayland and Weston. The marketing area as presently constituted includes 38 contiguous Massachusetts cities and towns comprising a substantial portion of the Greater Boston metropolitan area. A substantial cooperative association of producers proposed that the area be extended to include the seven additional towns of Framingham, Natick, Wayland, Weston, Sudbury, Concord, and Lincoln. Another proposal would extend the area to include all of that portion of Middlesex County not presently under Federal regulation.

The four towns herein recommended for inclusion in the marketing area are a part of Boston's suburban area and lie directly west of and are contiguous to the present marketing area. The towns of Framingham and Natick, in particular, are experiencing a very dynamic transition to an intensive residential and industrial area. The proximity of this four-town area to Boston and its location with regard to modern transportation facilities have played an important role in its rapid development and there is every indication that the rapid urbanization will continue.

The four-town area herein under consideration is served by approximately 30 handlers, 14 of which are fully regulated Boston or Worcester handlers. While statistics on relative volumes, numbers of routes and similar quantitative data are lacking there is no question but that regulated Boston handlers are the primary handlers serving this area and that such distribution is substantial.

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